

9-22-04

Rce/1631\$ PTO/SB/30 (5/2000) afw

Approved for use through xx/xx/xxxx. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

SEP 20 2004
REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV 533 735 414 US
Application Number	09/644,937
Filing Date	August 23, 2000
First Named Inventor	Nicholls, Anthony
Group Art Unit	1631
Examiner Name	Marschel, Ardin H.
Attorney Docket No.	61191-0003-US (formerly 9476-003-999)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Other

2. Miscellaneous

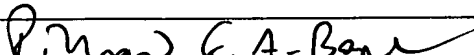
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other (Information Disclosure Statement and Petition for Extension of Time (1 month))

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 61191-0003-US):
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 385.00
- ii. ☒ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17 (the request for which is enclosed herewith)
- iii. ☐ Other
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Richard G. A. Bone	Limited Recognition Under 37 C.F.R. § 10.9(b) (Copy of Certificate Enclosed) for Francis E. Morris, Reg. No. 24,615	
Signature		Date	September 20, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

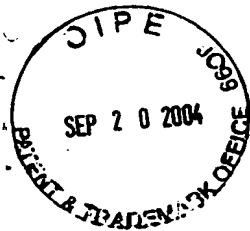
Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703- to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450.

09/23/2004 SSESHE1 00000062 500310 09644937

01 FC:2801 385.00 DA



Express Mail No. EV 533 735 414 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Nicholls Confirmation No.: 1945
Serial No.: 09/644,937 Art Unit: 1631
Filed: August 23, 2000 Examiner: Marschel, Ardin H.
For: METHOD FOR DETERMINING A SHAPE SPACE FOR A SET OF MOLECULES USING MINIMAL METRIC DISTANCES Attorney Docket No: 61191-0003-US (formerly 9476-003-999)

FEE TRANSMITTAL SHEET

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$99.00.

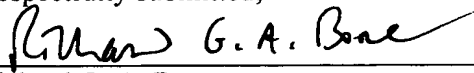
The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		<input checked="" type="checkbox"/> SMALL ENTITY		<input type="checkbox"/> OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	179	MINUS	168	11	x 9	\$ 99.00		x 18	\$ 99.00
INDEP.	12	MINUS	12	0	x 43	\$ 0		x 86	\$ 0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						\$		\$	0.00
TOTAL						\$ 99.00	OR	TOTAL	\$ 99.00

Please charge the required fee to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 61191-0003-US). A copy of this sheet is enclosed.

Date: September 20, 2004

Respectfully submitted,


Richard G. A. Bone
Limited Recognition Under 37 C.F.R. § 10.9(b)
(Copy of Certificate attached hereto)

for Francis E. Morris (Reg. No. 24,615)
MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306
(650) 843-4000



Express Mail No. EV 533 735 414 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Nicholls	Confirmation No.:	1945
Serial No.	09/644,937	Art Unit:	1631
Filed:	August 23, 2000	Examiner:	Marschel, Ardin
For:	METHOD FOR DETERMINING A SHAPE SPACE FOR A SET OF MOLECULES USING MINIMAL METRIC DISTANCES (as amended)	Attorney Docket:	61191-0003

**AMENDMENT ACCOMPANYING RCE,
AND REMARKS, INCLUDING
STATEMENT OF SUBSTANCE OF INTERVIEW**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed May 19, 2004 in connection with the above-identified patent application, and in accordance with Rule 116 of the Rules of Practice, Applicants respectfully request entry and consideration of the amendment and remarks presented hereinbelow.

Accompanying this response are: a) an Request for Continued Examination (RCE); b) an Information Disclosure Statement, with List of References Cited, and accompanying copies of listed references; c) an amendment fee transmittal; and d) a petition for extension of time, extending the time for response by one (1) month, from August 19, 2004, to and including September 19, 2004.

A listing of the claims starts at page 2 of this response. This listing of claims will replace all prior versions and listings of claims in the application.

Remarks begin on page 27 of this response.

09/23/2004 SSESHE1 00000063 500310 09644937

01 FC:2202 99.00 DA